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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,274	01/22/2001	Koji Yotsumoto	2001-0034A	9684

7590                  04/13/2004

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EXAMINER

WARE, CICELY Q

ART UNIT	PAPER NUMBER
	2634

DATE MAILED: 04/13/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/765,274	YOTSUMOTO, KOJI
	<b>Examiner</b>	<b>Art Unit</b>
	Cicely Ware	2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 22 January 2001.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 1-6 is/are allowed.  
 6) Claim(s) 7-9 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 22 January 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Specification*

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of **50 to 150 words**. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The disclosure is objected to because of the following informalities:
    - a. Pg. 4, line 5, examiner suggests applicant move "(2)" to line 4, for clarification purposes.
    - b. Pg. 4, line 26, applicant uses "c=l. and". Examiner suggests applicant delete "." for clarification purposes.
    - c. Pg. 6, lines 1-3, examiner suggests applicant re-write these lines for clarification purposes.
    - d. Pg. 9, line 25, applicant uses the phrase "RX par 2". Examiner assumes applicant means "RX part 2".
- Appropriate correction is required.

3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 7-9 are rejected under 35 U.S.C. 102(a) as being anticipated by Jensen et al. (US Patent 6,005,856).

(1) With regard to claim 7, Jensen et al. discloses a communication protocol for wireless communications using a Robertson device wherein a receiver is adapted to detect an approximate value of the power of a reception signal, operation are performed using a plurality of approximate equations, a plurality of candidates each becoming an approximate value of the power of the reception signal are calculated, and an excellent one is elected from among a plurality of the candidates as an approximate from among a plurality of the candidates as an approximate value of the power of the reception signal (col. 10, lines 8-14, 47-59, 64-67, col. 20, lines 20-23).

It is well known in the art that a Robertson device or technique is used to approximate coordinates or candidates through the use of approximate equations inherently using a plurality of candidates.

(2) With regard to claim 8, Jenson et al. further discloses a mobile-station device (col. 10, lines 8-14).

(3) With regard to claim 9, Jenson et al. further discloses a detection method adapted to detect an approximate value of the power of a signal received from a receiver (col. 10, lines 8-14, 47-59, 64-67, col. 20, lines 20-23).

***Allowable Subject Matter***

6. Claims 1-6 are allowed.
7. The following is a statement of reasons for the indication of allowable subject matter: The instant application discloses a receiver adapted to detect an approximate value of the power of a reception signal. Prior art references show similar methods but fail to teach: first operation means for multiplying a smaller one of a component I and component Q of the reception signal by 1/8 and the value of a larger one of the components I and Q; second operation means for multiplying the smaller one of the component I and component Q of the reception signal by ½ and a value obtained by multiplying the larger one of these components I and Q by 7/8; and detection means for detecting the value of a larger one of the operation result of the first operation means and the operation result of the second operation means as an approximate value of the power of the reception signal; a first comparator for comparing a component I and component Q of a reception signal with each other to determine which one of these components is larger or smaller to output a larger component as a first output value and output a smaller component as a second output value; a 3-bit, 1-bit, 2-bit, shift registers;

and a second comparator for comparing an output value from a first adder and an output value from a second adder to determine which one of these values is larger or smaller and output the value of the larger one as an approximate value of the power of the reception signal.

### *Conclusion*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cicely Ware whose telephone number is 703-305-8326. The examiner can normally be reached on Monday – Friday, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 703-305-4714. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*Cicely Ware*

cqw  
April 2, 2004



STEPHEN CHIN  
SUPERVISORY PATENT EXAMINEE  
TECHNOLOGY CENTER 2600